

x:\tc52542\adoption

WILLIAM D. JOYCE, III (WDJ9899)  
BARRY, McTIERNAN & MOORE  
2 Rector Street – 14<sup>th</sup> Floor  
New York, New York 10006  
(212) 313-3600

Attorneys for Defendants STRUCTURE TONE, INC. s/h/a STRUCTURE TONE  
(UK), INC. and STRUCTURE TONE GLOBAL SERVICES, INC.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
IN RE LOWER MANHATTAN DISASTER SITE  
LITIGATION

-----X  
LABOMIR KMEC AND VIERA KMEC,

Plaintiffs,

-against-

**NOTICE OF  
ADOPTION**

**08 CIV 2278**

ONSITE:

7 WORLD TRADE COMPANY, L.P.; A RUSSO  
WRECKING, INC; ABM INDUSTRIES, INC; ABM  
JANITORIAL NORTHEAST, INC; AMEC  
CONSTRUCTION MANAGEMENT, INC; AMEC  
EARTH & ENVIRONMENTAL, INC; ANTHONY  
CORTESE SPECIALIZED HAULING LLC; ATLANTIC  
HEYDT CORP.; BECHTEL ASSOCIATES  
PROFESSIONAL CORPORATION; BECHTEL  
CONSTRUCTION, INC; BECHTEL CORPORATION;  
BECHTEL ENVIRONMENTAL, INC; BERKEL &  
COMPANY, CONTRACTORS, INC; BIG APPLE  
WRECKING & CONSTRUCTION CORP; BOVIS  
LEND LEASE LMB, INC; BREEZE CARTING CORP;  
BREEZE NATIONAL INC; BRER-FOUR  
TRANSPORTATION CORP.; BURO HAPPOLD  
CONSULTING ENGINEERS, P.C.; C.B. CONTRACTING  
CORP; CANRON CONSTRUCTION CORP.; CORD  
CONTRACTING CO., INC; DAKOTA DEMO-TECH;  
DIAMOND POINT EXCAVATING CORP.; DIEGO  
CONSTRUCTION, INC.; DIVERSIFIED CARTING, INC.;  
DMT ENTERPRISES, INC.; D'ONOFRIO GENERAL  
CONTRACTORS CORP.; EAGLE LEASING &  
INDUSTRIAL SUPPLY, INC.; EAGLE ONE ROOFING

CONTRACTORS INC.; EJ DAVIES, INC.; EN-TECH CORP.; EVERGREEN RECYCLING OF CORONA(EROC); EWELL W. FINLEY, P.C.; EXECUTIVE MEDICAL SERVICES, P.C.; FLEET TRUCKING, INC.; FRANCIS A. LEE EXTERIOR RESTORATION, INC.; FTI TRUCKING, INC.; GILSANZ, MURRAY & STEFICEK, LLP, GOLDSTEIN ASSOCIATES CONSULTING ENGINEERS, PLLC; HALLEN WELDING SERVICE, INC.; H.P. ENVIRONMENTAL; KOCH SKANSKA INC.; LAQUILA CONSTRUCTION INC.; LASTRADA GENERAL CONTRACTING CORP.; LESLIE E. ROBERTSON ASSOCIATES CONSULTING ENGINEERS P.C.; LIBERTY MUTUAL GROUP; LOCKWOOD, KESSLER & BARTLETT, INC.; LUCIUS PITKIN, INC.; LZA TECH-DIV OF THORTON TOMASETTI; MANAFORT BROTHERS INCORPORATED; MAZZOCCHI WRECKING, INC.; HUDSON MERIDIAN CONSTRUCTION GROUP, LLC F/K/A MERIDIAN CONSTRUCTION CORP.; MORETRENCH AMERICAN CORP.; MRA ENGINEERING PC; MUESER RUTLEDGE CONSULTING ENGINEERS, INC., NACIREMA INDUSTRIES INCORPORATED; NEW YORK CRANE & EQUIPMENT CORP.; NICHOLSON CONSTRUCTION COMPANY; PETER SCALAMANDRE & SONS, INC.; PINNACLE ENVIRONMENTAL CORP.; PLAZA CONSTRUCTION CORP.; PRO SAFETY SERVICES LLC; PT & L CONTRACTING CORP.; ROBER SILMAN ASSOCIATES; ROBERT L. GEROSA, INC.; RODAR ENTERPRISES, INC.; ROYAL GM, INC.; SAB TRUCKING INC.; SAFEWAY ENVIRONMENTAL CORP.; SEASONS INDUSTRIAL CONTRACTING; SEMCOR EQUIPMENT & MANUFACTURING CORP.; SILVERITE CONTRACTING CORPORATION; SIMPSON GUMPERTZ & HEGER INC.; SKIDMORE, OWING & MERRILL LLP; SURVIVAIR; TISHMAN CONSTRUCTION CORPORATION OF MANHATTAN; TISHMAN CONSTRUCTION CORPORATION OF NEW YORK; TISHMAN INTERIORS CORPORATION; TISHMAN SPEYER PROPERTIES; THORTON-TOMASETTI GROUP, INC.; TORRETTA TRUCKING, INC.; TOTAL SAFETY CONSULTING, L.L.C.; TUCCI EQUIPMENT RENTAL CORP.; TULLY CONSTRUCTION CO., INC.; TURNER CONSTRUCTION COMPANY; ULTIMATE DEMOLITION/CS HAULING(JOINT VENTURE); VOLLMER ASSOCIATES LLP; WEEKS MARINE, INC.; WEIDLINGER ASSOCIATES, CONSULTING ENGINEERS, P.C.; WHITNEY CONTRACTING INC.; WOLKOW-BRAKER ROOFING CORP.; WORLD TRADE CENTER PROPERTIES LLC; WSP CANTOR SEINUK; YANNUZZI & SONS, INC.; YONKERS CONTRACTING COMPANY, INC.; YORK HUNTER CONSTRUCTION, LLC; ZIEGENFUSS DRILLING, INC.,

## OFF SITE:

90 CHURCH STREET LIMITED PARTNERSHIP, AMBIENT GROUP, INC., BANKERS TRUST COMPANY, BELFOR USA GROUP, INC., BFP ONE LIBERTY PLAZA CO., LLC., BLACKMON-MOORING-STEAMATIC CATASTROPHE, INC. D/B/A BMS CAT, BOSTON PROPERTIES, INC., BROOKFIELD FINANCIAL PROPERTIES, INC., BT PRIVATE CLIENTS CORP., DEUTSCHE BANK TRUST COMPANY, DEUTSCHE BANK TRUST COMPANY AMERICAS, DEUTSCHE BANK TRUST CORPORATION, GENERAL RE SERVICES CORP., HILLMAN ENVIRONMENTAL GROUP, LLC, NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC., NEW LIBERTY PLAZA LP, NEW YORK CITY INDUSTRIAL DEVELOPMENT AGENCY, NEW YORK CITY INDUSTRIAL DEVELOPMENT CORPORATION, ONE LIBERTY PLAZA, STRUCTURE TONE (UK), INC., STRUCTURE TONE GLOBAL SERVICES, INC., THE BANK OF NEW YORK TRUST COMPANY NA, THE BOARD OF MANAGERS OF THE ONE LIBERTY PLAZA CONDOMINIUM (CONDO #1178), THE ONE LIBERTY PLAZA CONDOMINIUM (CONDO #1178), TISHMAN INTERIORS CORPORATION, TULLY CONSTRUCTION CO., INC., TULLY INDUSTRIES, INC., WFP ONE LIBERTY PLAZA CO., L.P., WFP ONE LIBERTY PLAZA, CO. GP, CORP. AND WORLD FINANCIAL PROPERTIES, L.P., ET AL

Defendants.

-----X

PLEASE TAKE NOTICE that defendants, STRUCTURE TONE, INC. s/h/a STRUCTURE TONE (UK), INC. and STRUCTURE TONE GLOBAL SERVICES, INC. (hereinafter "STRUCTURE TONE"), as and for their responses to the allegations set forth in the Complaint by Adoption (Check-Off Complaint) related to the Master Complaint filed in the above-referenced action, hereby adopts STRUCTURE TONE's Answer to the Master Complaint dated July 30, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

To the extent that STRUCTURE TONE's Answer to the Master Complaint does not comprehensively address any of the specific allegations within the Check-Off

Complaint in the above-captioned matter, STRUCTURE TONE denies knowledge or information sufficient to form a belief as to the truth of such specific allegations.

WHEREFORE, STRUCTURE TONE, INC. s/h/a STRUCTURE TONE (UK), INC. and STRUCTURE TONE GLOBAL SERVICES, INC., demands judgment dismissing the above-captioned action as against it, together with its costs and disbursements.

Dated: New York, New York  
July 20, 2008



WILLIAM D. JOYCE, III (WDJ 9899)  
BARRY, McTIERNAN & MOORE  
Attorneys for Defendants  
STRUCTURE TONE, INC. s/h/a  
STRUCTURE TONE (UK), INC. and  
STRUCTURE TONE GLOBAL SERVICES, INC.  
2 Rector Street – 14<sup>th</sup> Floor  
New York, New York 10006  
(212) 313-3600